

had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

PARR, Chairman.

Petitions.

The Chair, Lieutenant Governor Davidson, offered and had read a petition from citizens of Kleburg County, protesting against the passage of S. B. No. 249. This was referred to Committee on Public Health.

Senator McNealus offered and had read a communication from Rockwall, protesting against repeal of special school appropriation law. Referred to Committee on Education.

Senator Buchanan offered and had read a telegram from Temple Chamber of Commerce, endorsing action of Governor in asking for repeal of suspended sentence law.

Senator McNealus offered a communication from Grand Prairie, urging defeat of Smith House Bill, for taxing church and school property.

Senator Bailey offered and had read a petition of citizens and business men of Cuero, Texas, asking for an appropriation of \$5,000,000.00 for the benefit of the public schools. Referred to Committee on Educational Affairs.

THIRTY-FOURTH DAY.

Senate Chamber,
Austin, Texas,
Friday, Feb. 25, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Hertzberg.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Witt.
Hall.	Wood.
Harp.	

Absent.

Fairchild.

Lewis.

Absent—Excused.

Dorough.
Russell.

Williams.
Woods.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

(See appendix for committee reports and petitions and memorials.)

Conference Committee Report On House Bill No. 227.

Committee Room,
Austin, Texas, Feb. 24, 1921.
Hon. Lynch Davidson, President of the Senate, and Hon. Chas. G. Thomas, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed by your respective bodies to consider the amendments of the Senate to H. B. No. 227, have had the same under consideration, and beg to report as follows:

First. Amend the bill by striking out Section 21 and insert the following, which is in lieu of the Senate amendment on the same subject, to-wit:

"Sec. 21. Each and all officers, employes and agents, handling funds or property of the corporations created under the provisions of this Act, or any property or funds of any person placed under the control of or in the possession of said corporation, shall be required to execute and deliver to the corporation a bond, for the benefit of all members of said corporation, conditioned upon the faithful performance of the duties and obligations of such person, and further conditioned that such person shall faithfully account for any and all funds, moneys and property coming into his or her hands or possession, by reason of such officer or employment, and shall promptly remit to the person, or persons, entitled to receive the same, all moneys which may come into his possession by virtue of being such officer, employe or agent, and in case of sale or failure to sell any products under the care of, and in the possession of such officer, employe or agent, that he shall promptly make a true and correct report of said sale, or in case of failure to sell, the reasons why said sale is not made.

In case the officers and directors of any corporation authorized to be creat-

ed under the provisions of this Act, shall fail to have all officers, employes and agents handling such funds or property, execute the bond provided for herein, each and all of said officers and directors shall be personally liable for all losses occasioned by such failure, and which might have been recovered on said bond."

Second. Amend the caption of the bill by striking out the words limiting the use of the word, "co-operative," as applying to this Act and insert in lieu thereof the words, "provided that all officers, employes and agents handling funds or property of corporations created under the provisions of this Act, shall give bond, and prescribing the terms and conditions of such bond."

Third. Strike out the words, beginning with the word, "guilty," in line 22, Section 25, page 15, of the Senate bill, and ending with the word, "offense," in line 26, Section 25, page 15, of the Senate bill, and insert in lieu thereof the following: "Liable to the association aggrieved thereby in a civil suit for damages (suffered in) three times the amount of actual damage proven for each offense."

Fourth. Amend H. B. No. 227, page 15, line 15, of Senate bill, by striking out the word, "misdemeanor."

Fifth. In Section 12, second paragraph thereof, reading as follows: "The by-laws may provide that one or more directors may be appointed by the President of the Agricultural and Mechanical College or the Commissioner of Markets and Warehouses, or any other public official. The director or directors so appointed need not be members or stockholders of the association, but shall have the same powers and rights as other directors," shall be stricken out.

With these recommendations, changes and amendments, we respectfully submit that H. B. No. 227, with amendments stated and provided, should be adopted.

Suiter, Buchanan, Witt, Watts, Cousins, on the part of the Senate.

John Davis, Veatch, Beasley of Hopkins, Rountree, Quicksall, on the part of the House.

The above report was read and laid on the table subject to call.

Bills and Resolutions.

By Senator Dudley:

S. B. No. 309, A bill to be entitled

"An Act to amend Chapter 81, Acts of the Second Called Session of the Thirty-sixth Legislature, by adding a new section to said Chapter 81, to be known as Section 18a, providing that when the owner of the surface has leased the oil and gas, as provided in said Chapter, and afterwards the rights of the surface owner are forfeited or cancelled by the State for any legal reason, the lessee may secure from the Land Commissioner by applying for same within ninety days after the forfeiture and notice thereof mailed to the County Clerk of the county where the land is located, a new lease contract on the identical terms of the original; except that on the new lease he shall be required to pay to the State one-eighth of the oil produced, and declaring an emergency."

Read first time and referred to Committee on Public Lands and Land Office.

By Senator Davidson:

S. B. No. 310, A bill to be entitled "An Act permitting persons convicted of a felony to take an oath and to appear and testify before any court or tribunal as a competent witness, and further providing that such conviction may be shown only as a circumstance, joint to the credibility of the witness, and not as a bar to his testimony; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Rogers:

S. J. R. No. 10, A Resolution proposing an amendment to the constitution concerning the exemption of state, county, city and district bonds from taxation.

Read first time and referred to Committee on Constitutional Amendments.

Simple Resolution No. 60.

By Senator Murphy:

Be it Resolved, that at 12 Meridian, Wednesday, March 2nd, 1921, the eighty-fifth anniversary of the signing of the Declaration of Texas Independence, and the one hundred and twenty-eighth anniversary of the birth of Sam Houston, the Declaration of Independ-

ence of the Republic of Texas be read before the Senate.

BAILEY,
MURPHY;
McNEALUS.

The resolution was read and adopted.

Morning call concluded.

Senate Bill No. 140.

By unanimous consent, the Chair laid before the Senate on second reading.

S. B. No. 140, A bill to be entitled "An Act for the relief of citizens of this State who are, or have been, absent from this State for more than six months because of their being in the military, naval, legislative or diplomatic service of the State or the United States, to repeal all laws in conflict herewith, and declaring an emergency."

The committee report, recommending a substitute bill, was adopted.

The bill was read second time.

Senator Witt offered the following amendment:

Amend S. B. No. 140, page 1, lines 9, 28 and 32, by striking out the words, "Legislative or diplomatic," in each line and inserting the word, "or," between the words, "military" and "naval," in each of said lines.

The bill was passed to engrossment.

Senate Bill No. 51.

There was objection to considering S. B. No. 51, patrol system of public roads, but Senator Davidson, author of the bill, was given permission to have the following amendments printed in the Journal:

Proposed amendments to S. B. No. 51:

(1) Amend S. B. No. 51 as follows: Strike out all of Section 2 and insert in place thereof the following:

"Section 2. That the Commissioners' Courts of the several counties of the State, shall within 90 days after the passage of this Act, at a Regular Session or a called meeting thereof appoint a County Road Superintendent of Maintenance, who shall have charge of all public highway construction and maintenance, together with the building of bridges and culverts in his county.

"Each County Superintendent shall, within 20 days after his appointment, take and subscribe to the oath re-

quired by the Constitution, and enter into bond, payable to the County Judge or his successor in office with good and sufficient surety, to be approved by the County Judge, in the sum of \$5,000.00, conditioned upon the said Superintendent faithfully and effectively discharging and performing all the duties required by law, or imposed upon him by the Commissioners' Court of his county, which bond shall be filed and recorded as other official bonds, and shall not be void from the first recovery but may be sued upon from time to time until the whole amount is exhausted.

"Provided that wherever a county now employs a County Engineer that said County Engineer shall be the County Road Superintendent and draw only the salary provided for the engineer, so as to combine the two offices."

(2) Amend Section 9 by adding to the end thereof the following:

"Providing that the said County Road Superintendent may hire a keeper for a period of 90 days for any road district, who shall perform as nearly as may be the duty therein imposed, and at the expiration of the said 90 days the said County Superintendent shall again advertise for a road keeper as in the first instance.

"The said road keeper or any hired substitute upon entering upon the duties shall execute a written receipt to the County Road Superintendent for all tools, property and equipments of every kind that shall be delivered to him, and at the end of his term he shall deliver an inventory showing what is on hand for the use of his successor, and until said inventory or report is made, the last payment due the said keeper shall not be made by the County Commissioners' Court."

(3) Amend S. B. No. 51, Section 22, in the second line, by striking out the words, "forty-five" and inserting the word, "sixty."

(4) Amend S. B. No. 51, Section 41, by adding the following to end of said Section, page 13, line 17:

"And further, provisions of this Act may not apply to counties containing any city of more than 75,000 inhabitants, according to the census of 1920, which county may be operating under a special road law."

Senate Bill 196.

By unanimous consent, the Chair laid before the Senate, on second reading,

S. B. No. 196, A bill to be entitled "An Act granting Willie Jackson permission to sue the State of Texas for any sum not exceeding three thousand (\$3,000.00) dollars because of being erroneously and improperly confined in the penitentiary for a term of years for which he was not sentenced, fixing the venue and declaring an emergency."

Senator Clark moved that the bill be laid on the table subject to call.

Senate Bill No. 209.

By unanimous consent the Chair laid before the Senate on second reading,

S. B. No. 209, A bill to be entitled "An Act providing for the payment of witnesses in felony cases residing outside of the State of Texas and within two hundred miles of the State boundary; and declaring an emergency."

The bill was read second time and passed to engrossment.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 25, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 220, A bill to be entitled "An Act creating the Hewitt Independent School District in McLennan County, Texas; defining its boundaries, including the present Hewitt Independent School District; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms; providing for an assessor and collector of taxes and board of equalization; providing that the Hewitt Independent School District as herein created shall become bonded and liable for the payment of its pro rata part of any outstanding indebtedness heretofore voted upon any territory taken away from any other school district and

included within the bounds of the Hewitt Independent School District as herein created, and declaring an emergency."

S. B. No. 88, A bill to be entitled "An Act to amend Section 61 of Article 30, Title V, of the Revised Statutes changing the time of holding the terms of the district court of the Sixty-first Judicial District of Texas, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

S. B. No. 233, A bill to be entitled "An Act amending Section 14 of Chapter 85 of the Local and Special Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Regular Session, by providing that the board of trustees of Edinburg Independent School District may employ an attorney to represent the said district in the enforcement of its lien for taxes; providing compensation for such services to such attorney; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 491, A bill to be entitled "An Act creating the Three Rivers Independent School District in Live Oak County, Texas; providing its boundaries; providing for the annexation of territory; providing that the present board of trustees may continue in office until the expiration of their respective terms; validating bond and tax elections hereinbefore held; placing the said district and trustees under the General Law governing independent school districts; placing the district under the direct supervision of the State Superintendent and State Board of Education; authorizing the trustees to select its officers, including its depository; delegating certain powers to these officials; providing for the custody of the funds and school property of the present district; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 232, A bill to be entitled "An Act Amending Section 14 of Chapter 81 of the Local and Special Laws of the State of Texas passed by the Thirty-sixth Legislature at its Regular Session by providing that the board of trustees of Donna Independent School District may employ an attorney to represent the said district in the enforcement of its lien for taxes; providing compensation for such services to such attorney; re-

pealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 496, A bill to be entitled "An Act to validate grant of land made by the crown of Spain to the original grantees and their heirs and assigns of Porciones Nos. 29, 30, 31, 33, 34, 36, 37, 38, 39, 47, 48, 53, 57 and 58, lying and being situated in Webb County, Texas, and to authorize and require the Commissioner of the General Land Office to issue patents to the original grantees, their heirs or assignees to said Porciones, and declaring an emergency."

Respectfully submitted,

N. K. BROWN,

Chief Clerk House of Representatives.

Bills Read and Referred.

The Chair, Lieutenant Governor Davidson, had referred, after their captions had been read, the following House Bills:

H. B. No. 491, Referred to Committee on Educational Affairs.

H. B. No. 496, Referred to Committee on Public Lands and Land Office.

Senate Bill No. 86.

The Chair laid before the Senate, by unanimous consent, on second reading,

S. B. No. 86, A bill to be entitled "An Act to amend Chapter 129, of the General Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Regular Session, authorizing the State Board of Medical Examiners of this State to cancel the license of any licensed 'practitioner of medicine' when the facts are made known to it that such practitioner has been convicted of the crime of the grade of felony, and for other reasons; repealing all laws in conflict therewith, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 197.

By unanimous consent the Chair laid before the Senate, on second reading,

S. B. No. 197, A bill to be entitled "An Act to provide for the branding of new and renovated mattresses and comforts and to provide against the use of unsanitary, unhealthy old or

second hand comforts and to provide against the sale of mattresses or comforts containing such unsanitary, unhealthy old or second hand materials, providing a penalty therefor, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 255.

By unanimous consent the Chair laid before the Senate, on second reading,

S. B. No. 255, A bill to be entitled "An Act repealing Chapter 47 of the Special Laws of the Regular Session of the Thirty-sixth Legislature, known as an Act to create a more efficient road system for Wood County, as approved by the Governor on March 13th, 1919, and repealing any and all other special laws, and parts of special laws relating to a road system for Wood County; providing that hereafter only the General Laws relating to roads for the various counties of the State of Texas shall be effective in Wood County; providing that any and all bonds heretofore issued by said Wood County or any district in Wood County shall remain valid obligations and that taxes shall be assessed and collected for the payment of the interest and creating a sinking fund to liquidate said bonds in the same manner as is now done, and declaring an emergency."

The bill was read second time.

The committee report was adopted.

Senator Suiter offered the following two amendments, which were adopted, severally:

Amendment No. 1 to Senate Bill No. 255:

Amend Senate Bill No. 255 by striking out all before the enacting clause and insert the following: "An Act repealing Chapter 47 of the local and special laws of the State of Texas passed at the Regular Session of the Thirty-sixth Legislature, entitled 'An Act to create a more efficient road system for Wood County,' etc., approved March 30, 1919, and effective 90 days after adjournment of said session of the Legislature; providing that from and after the passage of this Act all road work in Wood County shall be done and performed under the provisions of the General Road Laws of the State of Texas, be-

ing Title 119 of the Revised Civil Statutes of Texas, relating to Roads, Bridges and Ferries; and all amendments thereto as are by the terms thereof made inapplicable to Wood County; providing that the repeal of said special road law of Wood County herein referred to shall in no wise affect any work now being done or hereafter to be done by said county under contracts for the building or improvement of any graded, graveled, macadamized, paved, sand-clay or other hard surfaced roads under the provision of any bond issue heretofore or hereafter voted for such purposes; and providing that said county may work county convicts on its public roads under the provisions of the General Laws relative to working such convicts on public roads and prescribing the amount to be paid officers on their costs; that this Act shall be noticed by all courts of this State in the same manner as the General Laws of this State on this subject; providing that this Act shall be cumulative of all laws not in conflict herewith but that the cumulative portions hereof shall apply only to Wood County; and that all laws in conflict herewith, so far only as they affect Wood County, are hereby repealed, and declaring an emergency."

Amendment No. 2 to Senate Bill No. 255:

Amend Senate Bill No. 255 by striking out all after the enacting clause and insert the following:

Section 1. That Chapter 47 of the Local and Special Laws passed by the Regular Session of the Thirty-sixth Legislature, entitled "An Act to create a more efficient road system for Wood County," etc., approved March 13th, 1919, effective 90 days after adjournment of said Session of the Legislature, be and the same is hereby in all things repealed.

Sec. 2. That from and after the passage of this Act, all road work performed in or by Wood County shall be done under and by virtue of Title 119 of the Revised Civil Statutes of the State of Texas relating to "Roads, Bridges and Ferries," and all amendments thereto, except such provisions of said Title 119 and amendments thereof as are by their terms made inapplicable to Wood County; provided, however, that the repeal of said special road law of Wood County, referred to in Section 1 hereof, and the requirements of

this section, shall in no event be held or construed in any wise to effect any work now being done or hereafter to be done by said Wood County, by contract or otherwise, in the building or improvement of any graded, graveled, macadamized, sandy-clay or other hard surface or improved road under the provisions of any bond issue heretofore or hereafter to be voted for such purposes.

Sec. 3. That hereafter "county convicts" of Wood County may be worked upon the public roads of Wood County under the provisions of Chapter 3, Title 104 of the Revised Civil Statutes of Texas, or such convicts may be hired out under the provisions of Chapter 4, Title 104 of said Revised Civil Statutes; but whenever such convict shall have satisfied his fine and costs in full by such work, Wood County shall be liable to each officer and witness costs in the case against said convict for the full amount of such cost; said costs to be paid on warrant of the county judge as provided by Article 6247, Revised Civil Statutes of Texas.

Sec. 4. This Act shall be taken notice of by all courts of this State in the same manner as the General Laws of the State of Texas on this subject, and shall be held cumulative of all laws not in conflict herewith, but the cumulative portions hereof shall apply only to Wood County; and all laws in conflict herewith, in so far only as they affect Wood County are hereby repealed.

Sec. 5. The fact that aforesaid Special Road Law of Wood County hereby repealed is burdensome and very difficult of enforcement that an immediate clarification of the road laws of Wood County by substituting the General Road Laws for said special road law is necessary before Wood County can lawfully require any hands liable to road work to work their time during the current year; and the further fact that peace officers are unable to give sufficient time to enforcement of the laws if allowed only one-half fees in case of convicts who work out their fines, creates an emergency and imperative necessity demanding the suspension of the constitutional rule requiring bills to be read three several times in each house, and the same is hereby suspended, and this Act shall take effect

and be in force from and after its passage, and it is so enacted.

The bill was read second time and passed to engrossment.

Senate Bill No. 264.

By unanimous consent, the Chair laid before the Senate on second reading,

S. B. No. 264, A bill to be entitled "An Act to amend Article 6278 of Chapter 2 of Title 105 of Revised Civil Statutes of the State of Texas of 1911 denying payment of pensions to those otherwise entitled to same, while inmates of the Texas Confederate Home, or while confined in any of the asylums of this State, at the expense of the State, or while confined in the State penitentiary to satisfy a judgment of conviction, so as to provide that inmates of the Confederate Home and inmates of the Confederate Woman's Home, shall be entitled to receive pension payments equal to one-half the amount they would be entitled to receive if they were not inmates of such home, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 221.

By unanimous consent, the Chair laid before the Senate on second reading,

S. B. No. 221, A bill to be entitled "An Act to amend Subdivision 60 of Article 1121, of Chapter 2, Title 25, Revised Civil Statutes of Texas, 1911, so as to permit corporations, chartered under the provision of said subdivision to also acquire, hold and operate motor vehicles, either with or without tracks, for the transportation of freight or passengers for hire, from and to any point or points in and adjacent to the city or towns within and through which said company operates."

On motion of Senator Suiter the bill was laid on the table subject to call.

Senate Bill No. 198.

By unanimous consent, the Chair laid before the Senate on second reading,

S. B. No. 198, A bill to be entitled "An Act authorizing the State Board of Health to procure diphtheria anti-

toxin, tetanus antitoxin and vaccine lymph for the free use of people of the State upon whom the purchase thereof would impose a hardship; providing for the distribution of said antitoxins and vaccine lymph by the State Board of Health to the beforementioned persons upon the recommendation of the attending physician."

The bill was read second time and passed to engrossment.

Senate Bill No. 217.

By unanimous consent, the Chair laid before the Senate on second reading,

S. B. No. 217, A bill to be entitled "An Act amending Articles 3297 and 3300 of Chapter 7 of Title 52 of the Revised Civil Statutes of the State of Texas, and adding thereto Articles 3300a and 3300b, so as to provide that temporary administrators appointed may be made permanent administrators, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 225.

By unanimous consent, the Chair laid before the Senate on second reading,

S. B. No. 225, A bill to be entitled "An Act to amend Article 6401 of the Revised Civil Statutes of 1911, providing for the trial and investigation of matters in suits brought by quo warranto proceedings and providing for appeals in such cases, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 215.

By unanimous consent, the Chair laid before the Senate on second reading,

S. B. No. 215, A bill to be entitled "An Act requiring every individual, firm, association or corporation, owning, keeping, conducting or managing an institution or home for the boarding or sheltering of infant children or so-called 'Baby Farm,' or any lying-in hospital, hospital ward, maternity home or other place for the reception, care and treatment of pregnant women, charging a fee or receiving or expecting compensation, shall obtain an annual license from the State Board

of Health, which license shall be issued without fee. Local Health Officer to be given notice of the granting and terms of license. Local Health Officer to inspect such places at intervals. Requiring the reporting of the birth of any child in such place within twenty-four hours after its occurrence to the Local Health Officer. Making it unlawful to operate or conduct any such above-mentioned place without having the license mentioned. Imposing a fine and other penalty for violation of this Act, and stipulating that any license shall be revoked if owner be convicted of conducting a disorderly house, as that term is defined in the criminal laws of this State, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 285.

By unanimous consent, the Chair laid before the Senate on second reading,

S. B. No. 285, A bill to be entitled An Act to amend an Act to recognize the Twenty-seventh and Thirty-fifth Judicial Districts of the State of Texas and to fix the time of holding court therein as passed by the Twenty-ninth Legislature, Chapter 37, and to amend an Act to recognize the Thirty-fifth Judicial District; to name the counties composing the same; to fix the time of holding court therein, passed at the Second Called Session of the Thirty-fifth Legislature, being Chapter 3, and to amend an Act to reorganize the Twenty-seventh and Thirty-fifth Judicial District; to name the counties composing the Twenty-seventh and Thirty-fifth Judicial Districts; to fix the time of holding court in the counties of said districts, being Chapter 61 as passed by the Regular Session of the Thirty-third Legislature; and to reorganize the Thirty-fifth Judicial District; to name the counties composing the Thirty-fifth Judicial District; to fix the time of holding court in the counties of said Thirty-fifth Judicial District; to provide for the extension and return of process issued out of said court; and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

On motion of Senator Buchanan the bill was laid on the table subject to call.

Senate Bill No. 205.

By unanimous consent, the Chair laid before the Senate on second reading,

S. B. No. 205, A bill to be entitled "An Act providing that the Secretary of State may charge, as fee of his office, a sum for investigations made by employes of that department, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 258.

By unanimous consent, the Chair laid before the Senate, on second reading,

S. B. No. 258, A bill to be entitled "An Act to make it discretionary on the part of the trial judge with regard to submitting a case to the jury on special issues of fact in all cases tried before a jury in the District or County Courts of this State; and provided that where the parties litigant agree that the case shall be submitted on special issues, it shall be due to the Court to so submit said case; and further, provided where the case is submitted on special issues, it shall be proper for the attorneys to explain to the jury the effect of the finding thereon; repeal all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and Senator Carlock offered the following substitute for the bill:

Amend S. B. No. 258 by substituting the following bill therefor:

A BILL To be Entitled

An Act to authorize attorneys in their arguments to explain to the jury the effect of their findings in cases submitted to them on special issues, and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. In all cases submitted to a jury on special issues, it shall be lawful for the attorneys in said cases, when making their arguments to the jury to explain to them the effect of their findings on said issues.

Sec. 2. Owing to the lateness of the session and the crowded condition of the calendar, create an emergency and an imperative public necessity, that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is hereby sus-

pending, and this Act shall take effect from and after its passage, and it is so enacted.

The substitute amendment was read and adopted.

The bill was passed to engrossment.

Senate Bill No. 137.

By unanimous consent, the Chair laid before the Senate on second reading,

S. B. No. 137, A bill to be entitled "An Act to amend Chapter 140, Acts of the Thirty-sixth Legislature, granting to J. J. Kans, of the city of Galveston, Texas, his heirs and assigns, an extension of time in which the sum of not less than \$150,000.00 should be expended in the construction of a dry dock or marine railway on certain submerged flats or lands on the shore of Galveston Bay, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 277.

By unanimous consent, the Chair laid before the Senate on second reading,

S. B. No. 277, A bill to be entitled "An Act to fix the salary and compensation of the Superintendent of the Confederate Woman's Home, and to repeal all laws in conflict herewith, and declaring an emergency."

The committee report, with committee amendments, was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 278.

By unanimous consent, the Chair laid before the Senate on second reading,

S. B. No. 278, A bill to be entitled "An Act making an appropriation of Five Hundred Fifty Thousand (\$550,000.00) Dollars out of funds in the State Treasury not otherwise appropriated to the Prison Commission of the State of Texas for the purpose of paying the operating expenses of said Prison Commission during the remainder of the present fiscal year and the purchase price of the Blue Ridge Farm and other indebtedness incurred by said Commission under authority of law; providing for the return to the State Treasury of the

amounts unused by it out of this appropriation, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 213.

By unanimous consent, the Chair laid before the Senate on second reading,

S. B. No. 213, A bill to be entitled "An Act diminishing the jurisdiction of the County Court of Tyler County, Texas, so that such court will have only the jurisdiction of a probate court, and conferring the civil and criminal jurisdiction of said county upon the court of Tyler County, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 25, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the report of the Free Conference Committee on H. B. No. 227 by the following vote: Yeas, 117; nays 0. Also the House has adopted the report of the Free Conference Committee on H. B. No. 342.

Respectfully submitted,

N. K. BROWN,
Chief Clerk, House of Representatives.

Senate Bill No. 287.

By unanimous consent, the Chair laid before the Senate on second reading,

S. B. No. 287, A bill to be entitled "An Act creating the Buffalo Flat Common School District No. 20, in Hall County, Texas, describing its metes and bounds, providing for the assumption of its part of the bonded indebtedness of Turkey Independent District; placing the district under the General Laws, providing for a Board of three Trustees, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 272.

By unanimous consent, the Chair laid before the Senate on second reading.

S. B. No. 272, A bill to be entitled "An Act to amend Chapter 14, Article 2781, Revised Civil Statutes of 1911, as amended by Chapter 27, Acts of the Third Called Session of the Thirty-sixth Legislature, relating to the salaries of teachers so as to change the provision as to districts levying a local tax, validating contracts heretofore made, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 265.

By unanimous consent, the Chair laid before the Senate on second reading.

S. B. No. 265, A bill to be entitled "An Act to amend Chapter 85 of the Acts of the Regular Session of the Thirty-third Legislature, entitled 'An Act to provide the mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in subdivisions of Harris County, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency.'"

The committee report was adopted.

Senator Murphy offered the following amendments, which were read and adopted:

(1) Amend S. B. No. 265 by striking out the caption and inserting in lieu thereof the following:

"An Act to amend Chapter 85 of the Acts of the Regular Session of the Thirty-third Legislature, as amended by Chapter 46 of the Acts of the Regular Session of the Thirty-sixth Legislature, of the Local and Special Laws entitled, 'An Act to provide the mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in subdivisions of Harris County, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency,' by providing therein that no subdivision of Harris County so described including an incorporated city or town, shall extend more than five (5) miles beyond the limits of said incorporated city or town, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

(2) Amend S. B. No. 265 by striking out all after the enacting clause

and inserting in lieu thereof the following:

"Section 1. Upon the written petition of twenty (20) freeholders of any subdivision of Harris County as may be described in the petition and defined by the Commissioners' Court of Harris County, which subdivision, however, if it shall include any incorporated city or town, shall not extend more than five (5) miles beyond the corporate limits thereof, the Commissioners' Court of said county shall order an election to be held in such subdivision of said county as may be described in the petition and defined by the Commissioners' Court on the day named in the order, for the purpose of enabling the freeholders of such subdivision of Harris County as may be described in the petition and defined by the Commissioners' Court, to determine whether horses, mules, jacks, jennets and cattle shall be permitted to run at large in such subdivision of Harris County, as may be described in the petition and defined by the Commissioners' Court.

"Sec. 2. Upon the filing of such petition, the order of the Commissioners' Court thereon, the holding of such election, the return thereof, and all other action in respect thereto, shall be prescribed in the General Law, Title 124, Chapter 5, of the Revised Statutes of Texas, of 1911.

"Sec. 3. All laws and parts of laws in conflict herewith are hereby repealed.

"Sec. 4. The fact that there is no law excluding incorporated cities and towns from the subdivisions of Harris County, to vote upon the question as to whether stock shall be permitted to run at large in such subdivisions, creates an emergency and an imperative public necessity that the constitutional rule requiring all bills to be read on three (3) several days, be suspended, and it is so ordered that the said rule be suspended and that this Act shall take effect and be in full force from and after its passage, and it is so enacted."

The bill, having been read second time, was passed to engrossment.

Senate Bill No. 280.

By unanimous consent the Chair laid before the Senate on second reading.

S. B. No. 280, A bill to be entitled "An Act to amend Article 610, Chapter 1, Title 18, of the Revised Civil

Statutes of Texas of 1911, so as to provide in substance, that the county commissioners' court shall in addition to being authorized to issue bonds of the county for the erection of the county court house and jail, or either, that such commissioners' court should also have the power to issue the bonds of said county as provided for in said section for the construction of buildings to be used as schools or homes for dependent and delinquent boys and girls, or for either one or both of said sexes, as said commissioners' court might determine; to repeal all laws in conflict herewith, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 292.

By unanimous consent the Chair laid before the Senate, on second reading.

S. B. No. 292, A bill to be entitled "An Act enlarging and creating Geneva Independent School District, in Sabine County, Texas, and consolidating Rock Springs Common School District No. 18 and Red Oak Common School District No. 22 with Geneva Independent School District; defining its boundaries; providing for a Board of Trustees; vesting it with rights, powers, duties and privileges of independent school districts incorporated for school purposes only; providing for a Board of Equalization to fix the taxable valuation of the personal and real property in said district; divesting out of the Rock Springs Common School District No. 18 and Red Oak Grove Common School District No. 22 the title and the control of all school money and school property belonging to said common school district, and vesting the title and the control of all such money and property in Geneva Independent School District; providing that if any part of this Act is declared unconstitutional, such decisions shall not make void or annul its other provisions; repealing all laws in conflict with this Act, and declaring an emergency."

By unanimous consent the Senate rule, requiring committee reports to lie over one day, was suspended.

The committee report was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 266.

By unanimous consent the Chair laid before the Senate, on second reading.

S. B. No. 266, A bill to be entitled "An Act providing for the construction, equipment and maintenance of a building in connection with the Texas School for the Blind, to accommodate, educate and take care of blind children or children with defective eyesight under the age of children which may be admitted into the Texas School for the Blind under the present laws; providing for the operation, support and maintenance of such addition to the Texas School for the Blind and making an appropriation for said purpose and purposes; and declaring an emergency."

The bill was read second time and passed to engrossment.

Adjournment.

On motion of Senator Page, the Senate, at 12 o'clock, noon, adjourned until 10 o'clock Monday morning.

APPENDIX.

Petitions.

Senator Buchanan offered and had read a lengthy telegram from Belton Yarn Mills, Belton Chamber of Commerce and Belton National Bank, protesting against any passage of a minimum wage bill.

Senator Buchanan offered and had read a telegram protesting against the passage of Senator Parr's amendment to Kennedy County Bill.

Senator Hall offered and had read a communication from Austin, urging passage of Medical Practice Act.

Committee Reports.

Committee Room,

Austin, Texas, Feb. 25, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 463, A bill to be entitled

"An Act amending Chapter 39, Local and Special Laws passed at the Third Called Session of the Thirty-sixth Legislature, approved June 17th, 1920, creating the Lorenzo Independent School District in Crosby and Lubbock counties, validating all Acts of the board of trustees, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 466, A bill to be entitled "An Act to establish and re-define Rugby Common School District No. 40 of Red River County, Texas; to validate election heretofore held in said district for local taxes for the further maintenance of public free schools in said district; to validate election heretofore held in said district for the issuance of school house bonds in said district; to authorize the Attorney General of Texas to be governed by the metes and bounds as defined in this act in passing on said election for the issuance of said school house bonds; providing that said Rugby Common District No. 40 in Red River County, Texas, shall be under the General Laws of Texas with respect to common school districts when not in conflict with this Act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 336, A bill to be entitled "An Act to amend Chapter 72 of the Local and Special Laws of the Third Called Session of the Thirty-sixth Legislature, creating the Dalhart Consolidated Independent School Dis-

trict in Dallam and Hartley Counties, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 424, A bill to be entitled "An Act creating the Woodville Independent School District in Tyler County, Texas; defining its boundaries; providing for a board of trustees in said independent school district; repealing all laws in so far as they conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 306, A bill to be entitled "An Act creating the Stuart Independent School District in Cameron County, Texas, and defining its boundaries; providing for the election of a board of trustees therefor; providing for the selection of a secretary, treasurer, assessor and collector of taxes and all other necessary officers and committees, and prescribing their qualifications; investing said district with all the rights, powers, etc., of a town or village incorporated under the general laws of the State for free school purposes only; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1921.
Hon. Lynch Davidson, President of
the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 464, A bill to be entitled "An Act creating and incorporating Cone Independent School District in Crosby County, Texas; defining the boundaries thereof; providing for a board of trustees, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 25, 1921.
Hon. Lynch Davidson, President of
the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 301, A bill to be entitled "An Act creating and incorporating Hale Center Independent School District in Hale County, Texas; defining its boundaries, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, Feb. 24, 1921.
Hon. Lynch Davidson, President of the
Senate.

Sir: We, a majority of your Committee on Public Health, to whom was referred

S. B. No. 249, A bill to be entitled "An Act regulating the practice of medicine; amending certain articles and adding new articles to Title Ninety (90), Chapter One (1), Civil Statutes of this State; amending certain articles and adding new articles to Title Twelve (12), Chapter Six (6), of the Penal Code of this State, as follows: By amending Article 5737, prescribing the duties of the District Clerks on cancellation of the license of a physician; by amending Article 5738, prescribing the conditions on which one may be licensed to practice

medicine in this State under reciprocity arranged with the authorities of other States; by amending Article 5741, Civil Statutes, authorizing the State Board of Medical Examiners at its discretion to conduct examinations in two parts and prescribing the fee to be paid by the applicant for each examination; by amending Chapter One Hundred Twenty-nine (129), Acts of the Regular Session of the Thirty-sixth Legislature, approved March 24th, 1919, to be known hereafter as Article 5744a, Civil Statutes, making it the duty of the State Board of Medical Examiners to cancel the license of any practitioner of medicine for reasons enumerated and prescribing the procedure to be followed in such cases; by adding a new Article to be numbered Article 5744b of the Civil Statutes, authorizing suits for injunction to be brought by the Attorney General of the State and the District and County Attorneys of the State, by the Board of Medical Examiners and by any citizen of the county of the residence of the defendant; to prohibit any person from practicing medicine in this State in violation of law; by amending Article 750 of the Penal Code of this State, making it unlawful for any person to practice medicine without first taking the oath prescribed and having his license registered by the District Clerk of the county where he is located or into which he may remove, and prescribing punishment for making a false oath before said Clerk; by adding a new article to Chapter Six (6), Title Twelve (12), of the Penal Code of the State, to be Article 750a, making it unlawful for any person to practice medicine after his license has been cancelled by the State Board of Medical Examiners or by any court of competent jurisdiction, prescribing punishment therefor on conviction, confinement in the penitentiary; by amending Article 756 of the Penal Code of this State, prescribing that where any person is convicted under the laws of this State for practicing medicine in violation of law that in addition to other punishment inflicted, the court shall enter judgment against the defendant perpetually enjoining him from continuing such violation; by amending Chapter Six (6), Title Twelve (12), of the Penal Code, by adding a new article to be numbered Article 756a, making it a criminal offense for any applicant for license to make a false oath before the

District Clerk to secure registration of his license, said offense shall constitute false swearing and shall be punished as such as provided by the laws of this State."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, with the following committee amendments.

HALL, Chairman.

(1) Amend Section 5 of the bill so as to read as follows:

"Sec. 5. That Chapter One (1) of Title Ninety (90), of the Revised Civil Statutes of Texas, be amended by adding a new article to be numbered 5744b, to read as follows:

"Article 5744b. The Attorney General, any district or county attorney of the State, the State Board of Medical Examiners, or any citizen residing in the county where the defendant resides may file a suit in the District Court of the county where the defendant resides for injunction to restrain and prohibit any person from practicing medicine in violation of any provision of Chapter One (1), Title Ninety (90), of the Revised Civil Statutes of this State, or in violation of the provisions of Chapter Six (6), of Title Twelve (12), of the Penal Code of this State. In such case no injunction or restraining order shall be issued until final trial of such case and final judgment on the merits. If, on such final trial, it be shown that the defendant in such suit is practicing medicine in violation of any law or laws of this State, the court shall issue a permanent injunction enjoining the defendant from continuing the practice of medicine in violation of such law or laws as complained of in said suit. Disobedience of said injunction shall subject the defendant to the pains and penalties provided by law for violating an injunction.

"The procedure in all such cases shall be the same as in any other injunction suit as nearly as may be. This remedy by injunction shall be in addition to the criminal prosecutions provided in the Penal Code and may be exercised independently of and without reference to whether or not criminal prosecution has been or may be instituted; and provided further, that when the suit is brought by a citizen he shall not be required to show that he is personally injured by the acts complained of. Such causes shall be advanced for consideration on the

docket of the district courts and in case either party to such suit may appeal from any judgment of the District Court granting or refusing such permanent injunction, then either party to said appeal on motion shall be entitled to have said cause advanced for consideration in the Court of Civil Appeals as well as in the Supreme Court."

(2) Amend the bill by adding immediately after Section 9 the following section, to be numbered Section 10, and the present Sections 10 and 11 to be renumbered, respectively, as Sections 11 and 12, said Section 10 to be as follows:

"Section 10. In the event any section or part of section or provision of this Act be held invalid, unconstitutional, or inoperative, this shall not affect the validity of the remaining sections or parts of sections of the Act, but the remainder of the Act shall be given effect as if said invalid, unconstitutional, or inoperative section or part of section or provision had not been included. In the event any penalty, right or remedy created or given in any section or part of this Act is held invalid, unconstitutional or inoperative, this shall not affect the validity of any other penalty, right or remedy created or given either in the whole Act or in the section thereof containing such invalid, unconstitutional or inoperative part, and if any exception to or any limitation upon any general provision herein contained shall be held to be unconstitutional or invalid, the general provisions shall nevertheless stand effective and valid as if the same had been enacted without such limitation or exceptions."

HALL, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, Feb. 24, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: I, a minority of your Committee on Public Health, to whom was referred S. B. No. 249, beg leave to report that it is my judgment that the passage of this bill creates a monopoly in the treatment of ills of humanity in Texas, a thing not desired or sought by the people of Texas; and, further, the provisions of this bill, of punishment by injunction, the violation of which is made a felony at the discretion of a court and not by judgment of a jury, is violative of the principles of

free government. I beg to report same back to the Senate with the recommendation that it do not pass.

McMILLIN.

Committee Room,

Austin, Texas, Feb. 24, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 93, A bill to be entitled "An Act creating the La Grange Independent School District, in Fayette County, Texas; defining its boundaries; providing for a Board of Trustees in said district; etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 24, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 292, A bill to be entitled "An Act enlarging and creating Geneva Independent School District, in Sabine County, Texas, and consolidating Rock Springs Common School District No. 18 and Red Oak Grove Common School District No. 22 with Geneva Independent School District; defining its boundaries; providing for a Board of Trustees; vesting it with rights, powers, duties and privileges of independent school districts incorporated for school purposes only; providing for a Board of Equalization to fix the taxable valuation of the personal and real property in said district; divesting out of Rock Springs Common School District No. 18 and Red Oak Grove Common School District No. 22 the title and the control of all school money and school property belonging to said common school districts, and vesting the title and the control of all such money and property in Geneva Independent School District; providing that if any part of this Act is declared unconstitutional, such decisions shall not make void or annul its other provisions; repealing all laws in conflict with this Act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the

recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 24, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 295, A bill to be entitled "An Act creating San Jose Independent School District, in Bexar County, Texas; defining the boundaries thereof; providing that outstanding indebtedness of Bexar County Common School District No. 40 shall be valid for and against San Jose Independent District; providing that the legal tax rate of Bexar County Common School District No. 40 shall be made valid in San Jose Independent District, until changed by vote of the people thereof; providing for a Board of Trustees thereof; providing for the general laws of independent districts to apply to San Jose Independent District, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 25, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 263, A bill to be entitled "An Act fixing the maximum passenger rate that may be charged by any steam railroad company or interurban railway company for transporting certain peace officers of this State, when traveling on official business between points within this State; making it an offense for any steam railroad company or electric interurban railway company or any person or person operating the same, or the receivers or lessees thereof, or any officer, agent or employe of any such company in this State to charge more than such maximum rate, and prescribing a penalty therefor; declaring it to be an offense for any peace officer entitled to the benefits of this Act to accept the benefits thereof when traveling on other than official business, or for any person not entitled to the benefits of this Act.

to falsely represent himself as entitled to the same and to purchase or offer to purchase transportation at the rate fixed by this Act; fixing a penalty therefor, and declaring an emergency."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, with committee amendment.

McNEALUS, Chairman.

Amend S. B. No. 263 by adding at the end of Section 3 the following: "Provided, that the officers entitled to the benefit of this Act shall when presenting themselves to the agent of any such railway or interurban railway company for the purchase of a ticket, or to pay his fare, exhibit to such agent in case of the Adjutant General and State Rangers a certificate of the Secretary of State, under seal; in case of the Sheriffs and Constables and their Deputies, a certificate, under seal of the County Judge of the county where they hold office, and in case of officers of city or town, a certificate, under seal of the Mayor of such city or town, stating that such person is entitled to the reduced fare herein provided for, and provided, further, that it shall be the duty of Sheriffs and Constables to designate in writing the two Deputies entitled to the reduced rates herein provided for; and provided, further, that if the Sheriff or Constable has designated two Deputies who are entitled to such reduced rates, that then and in that event no Deputies of such Sheriff or Constable shall be entitled to free transportation under the provisions of the pass laws of this State."

Committee Room,

Austin, Texas, Feb. 25, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 371, have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with committee amendments, and be not printed.

BUCHANAN, Vice Chairman.

Committee Room,

Austin, Texas, Feb. 24, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 159, A bill to be entitled "An Act to amend Chapter 58 of the General Laws of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, relating to health, safety and comfort of employes and the Bureau of Labor Statistics, and providing funds for carrying out the provisions thereof. Section 7. By inserting the words, 'State Health Officer,' wherever found, in lieu of the 'Commissioner of Labor Statistics,' and by inserting the words, 'State Board of Health,' wherever found, in lieu of the 'Bureau of Labor Statistics.' Section 8, by inserting the words, 'State Health Officer,' wherever found, in lieu of the Commissioner of Labor Statistics. Section 10. Providing for the repeal of Section 10, Chapter 58, of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HALL, Chairman.

Committee Room,

Austin, Texas, Feb. 24, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 261, A bill to be entitled "An Act creating a Bureau of Plumbing; providing for supervision and enforcement of certain articles as amended; providing for appointment of State Plumbing Inspector, fixing salary and locating offices, defining duties and experience, prescribing bond, amount and method of filing; providing record of inspections and investigations shall be kept and annual report made; fixing power of State Health Officer to amend rules and regulations, to revoke license for violations, providing that notices be given within certain time and opportunity afforded to produce testimony; providing for appointment of persons for certain purposes; providing that State Health Officer have certain powers, appeal from his decision may be had, after certain period may apply for new license; providing who shall be custodian for papers, that he shall keep on file in his office certain information, and prepare questions and charts for examinations and furnish to local boards of examiners, subject to approval of State Health Officer; providing that

certificates be signed and countersigned by whom, license to be recognized by whom and where for certain period, to be renewed when, not transferable; providing penalty for use of license by any other than the one to whom issued; license may be granted without examination to whom and by whom upon payment of fee, to be posted where and exhibited when and to whom; providing for collection of fees, said fees to be transmitted to State Board of Health, and paid by it into the general fund of State Treasury; providing that all such moneys are appropriated and set aside for what purposes; providing that if any section of the Act be held unconstitutional it shall not affect any other parts of the Act; providing penalty for failure to remit moneys collected repealing all acts or parts of acts in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass.

HALL, Chairman.

Senate Chamber,

Austin, Texas, Feb. 25, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 41 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

Senate Chamber,

Austin, Texas, Feb. 25, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 284 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

Senate Chamber,

Austin, Texas, Feb. 25, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 251 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

Senate Chamber,

Austin, Texas, Feb. 25, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on En-

grossed Bills, have had Senate Bill No. 140 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

Senate Chamber,

Austin, Texas, Feb. 25, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 86 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

Senate Chamber,

Austin, Texas, Feb. 25, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 209 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

THIRTY-FIFTH DAY.

Senate Chamber,

Austin Texas,

Monday, Feb. 28, 1921.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

Absent.

Dorough.	Russell.
Harp.	Sulter.
Parr.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

(See Appendix for committee re-